

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Panchayat Raj & Rural Development Department - Allegations of corruption against Sri N.V.Ramana Reddy, former Sanitary Inspector Gr.I, GP Chinnachowk, Kadapa District – Trapped by the Anti-Corruption Bureau officials on 11.10.2003 – Prosecuted in court of law – Acquitted by the Spl.Judge for SPE & ACB cases, Nellore – Further action dropped duly treating the suspension period as not on duty – OA filed before Hon'ble APAT – Judgment pronounced – Regularization of suspension period i.e., 20.10.2003 to 27.6.2006 as “on duty” as per the provisions of FR 54(B)(3) and (4) – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.III) DEPARTMENT

G.O.Rt.No. 36

Dated:04.01.2014.

Read the following:-

- 1.Procgs.No.3746/2003-B1(Pts), dt.18.10.2003 of the District Collector, Kadapa.
- 2.G.O.Ms.No.285, PR&RD (Vig.III) Department, dated 30.9.2004.
- 3.Procgs.No.3746/2003-B1(Pts), dated.24.6.2006 of the District Collector, Kadapa.
- 4.From the Spl.Judge for SPE&ACB Cases, Nellore judgment dated.21.1.2008 in CC No.38 of 2004.
- 5.Govt. Memo No.18277/Vig.III/2003-3, dated.23.10.2009.
- 6.Govt. Memo No.18277/Vig.III/2003-5, dated.2.2.2010.
- 7.From the Hon'ble APAT judgment dt.8.8.2013 in O.A.No.3558 of 2010.

ORDER:

In the ref.1st read above, the District Collector, Kadapa has issued orders placing Sri N.V.Ramana Reddy, former Sanitary Inspector Gr.I, Gram Panchayat Chinnachowk, Kadapa District under suspension on the allegation of demand and acceptance of bribe from the complainant for doing official favour and in the ref.2nd read above, sanction was accorded for prosecution of Sri N.V.Ramana Reddy, former Sanitary Inspector in a Court of Law. The suspension of individual was reviewed from time to time and in the ref.3rd read above, orders were issued reinstating Sri N.V.Ramana Reddy, former Sanitary Inspector, into service pending finalization of criminal proceedings.

2. In the ref.4th read above, the Spl.Judge for SPE&ACB Cases, Nellore in CC No.38 of 2004 pronounced the judgment dt.21.1.2008 and opined that the prosecution failed to prove its case against the Accused Officer beyond reasonable doubt, Accused Officer is found not guilty for the offences under Secs.7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, and he is entitled for acquittal. Accordingly, Accused Officer is found not guilty, and he is acquitted for the offences under Secs.7 and 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988, under Sec.248(1) Cr.P.C.

3. In the ref.5th and 6th read above, Government have dropped further action against the Accused Officer Sri N.V.Ramana Reddy, former Sanitary Inspector Gr.I, Gram Panchayat Chinnachowk, Kadapa District and regularized the suspension period as not on duty.

4. In the ref.7th read above, the Accused Officer has preferred an appeal before Hon'ble. A.P. Administrative Tribunal, Hyderabad and filed OA No.3558/10. The Hon'ble A.P. Administrative Tribunal in its judgment dt.8.8.2013 has pronounced is as follows:

“In view of the honourable acquittal, the suspension is not justified and the period of suspension is to be treated as on duty. The action of the respondents in denying the applicant salaries and allowances for the period of suspension on the principle of, “No work no pay” cannot be upheld by this Tribunal in view of the foregoing reasons”.

PTO

“Having regard to the facts and circumstances obtaining in this case and foregoing reasons, the impugned orders are hereby set aside. The respondents are directed to treat the period spend under suspension as on duty in view of clean acquittal in CC.38/2004 and accord him all attendant and consequential benefits arising thereof”.

5. Government after careful examination of the matter, have decided and accordingly, hereby order that the period suspension from 20.10.2003 to 27.06.2006 of Sri N.V.Ramana Reddy, former Sanitary Inspector Gr.I, Gram Panchayat Chinnachowk, Kadapa District shall be treated as “on duty” as per the provisions of FR 54(B)(3)& (4).

6. This order issues with the concurrence of Finance (FR.II) Department, vide their U.O.No.31929/849/FR.II/2013, dated.9.12.2013.

7. The Municipal Administration & Urban Development Department, AP Secretariat / District Collector, Kadapa shall take further action in the matter accordingly, since the individual was now working as Supervisor, Municipal Corporation, Kadapa.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri N.V.Ramana Reddy, former Sanitary Inspector Gr.I, GP Chinnachowk,
Kadapa District and **now** Supervisor, Municipal Corporation, Kadapa
through the MA&UD Department, A.P. Secretariat.

The Municipal Administration & Urban Development Department, A.P.- Secretariat,
The District Collector, Kadapa.

Copy to:

The Director, Municipal and Administration, Hyderabad.
The District Audit Officer, State Audit, Kadapa.
The District Treasury Officer, Kadapa.
SF/SC.

//FOWARDED::BY ORDER//

SECTION OFFICER